

21923



07-24-01 18 Rec'd PCT/PTO 23 JUL 2001

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Signature  
The Firm of Karl F. Ross, P.C.

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Heinz GRÖSSWANG et al**  
Patent App. **09/857,311 (US Nat'l phase of PCT/AT99/00297)**  
Filed **31 May 2001**  
For **DEVICE FOR ENABLING AN OBSERVER TO VERIFY THE ANGLE-DEPENDENT ...**

Hon. Commissioner of Patents  
Washington, DC 20231

**RECORD OF TRANSMITTAL--PCT APPLICATION**

<input checked="" type="checkbox"/>	PCT Transmittal	
<input type="checkbox"/>	PCT Application	
<input type="checkbox"/>	Translation	
<input type="checkbox"/>	Sheets of Drawing (0)	
<input checked="" type="checkbox"/>	PCT Declaration	
<input type="checkbox"/>	PCT Documents	
<input type="checkbox"/>	International Search Report	
<input type="checkbox"/>	Preliminary Amendment	
<input checked="" type="checkbox"/>	Assignment (with PTO-1595 and sep. PTO-2038)	
<input checked="" type="checkbox"/>	PTO-2038 for Official Fees	
<input checked="" type="checkbox"/>	Late filing	\$130.00
	<b>Total</b>	<b>\$130.00</b>

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

07/31/2001 MINGUYEN 00000044 09857311

012FB:15 July 2001 130.00 OP

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rg

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

Jonathan Myers Reg. 26,963

**Rec'd PCT/PTO 23 JUL 2001**

Attorney's Docket No.

21923

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371**

US. Application No. (if known)

09/857311

INTERNATIONAL APP. NO.  
**PCT/AT99/00297**

INTERNATIONAL FILING DATE  
**2 December 1999**

PRIORITY DATE CLAIMED  
**2 December 1998**

TITLE OF INVENTION

**DEVICE FOR ENABLING AN OBSERVER TO VERIFY THE ANGLE-DEPENDENT ...**

APPLICANT(S) FOR DO/EO/US

**Heinz GRÖSSWANG et al**

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 USC 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☐ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

**Items 11. to 16. below concern documents or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.

US Application no (if known) <b>09/857311</b>	International Application no. <b>PCT/AT99/00297</b>	Attorney's Docket No. <b>21923</b>
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17. The following fees are submitted:  
 Basic National Fee (37 CFR 1.492(a)(1)-(5):  
     Search report has been prepared by the EPO or JP ..... \$860.00  
     Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) ..... \$690.00  
     No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)  
     but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$710.00  
     Neither int'l prel. exam fee (37 CFR 1.482) nor  
     int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO ..... \$1000.00  
     Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)  
     and all claims satisfied provisions of PCT Art. 33(2-4) ..... \$100.00  
 ENTER APPROPRIATE BASIC FEE AMOUNT

CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

**\$130**

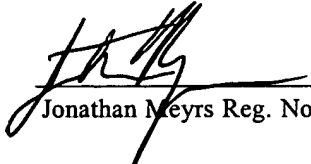
CLAIMS	NO. FILED	NO. EXTRA	RATE		
Total claims					
Ind. claims					
MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.)					
TOTAL OF ABOVE CALCULATIONS				<b>\$130</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)				<b>\$0</b>	
SUBTOTAL				<b>\$130</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE				<b>\$130</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)				<b>\$40</b>	
TOTAL FEES ENCLOSED				<b>\$170</b>	
				Amt to be refunded	
				Amt to be charged	

- a. ☐ A check in the amount of **\$130** to cover the above fees is enclosed  
 b. ☐ Please charge my deposit account 18-2025 **\$00.00** to cover the above fees. A copy of this sheet is enclosed.  
 c. ☒ Please charge the amount due to the credit card identified in the attached PTO-2038.  
 d. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed  
 e. ☒ A PTO-2038 in the amount of **\$40** to cover recordal of the Assignment is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

**The Firm of Karl F. Ross P.C.**  
**5676 Riverdale Ave. Box 900**  
**Riverdale (Bronx), NY 10471**

  
 Jonathan Meyers Reg. No. 26,963

09/857311

GROSSWANG

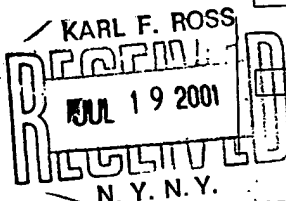
H.

21923

INTERNATIONAL APPLICATION NO.

PCT/AT99/00297

THE FIRM OF KARL F ROSS  
5676 RIVERDALE AVENUE  
PO BOX 900  
RIVERDALE (BRONX), NY 10471 0900



I.A. FILING DATE	PRIORITY DATE
02 DEC 99	02 DEC 98

DATE MAILED: 17 JUL 2001

# **NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

Barbara A. Campbell

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631